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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
(HONORABLE JOHN A. HOUSTON)

MUHANNAD TOMA,)	CASE NO. 07CV2381-JAH (POR)
)	
Petitioner,)	
v.)	PETITIONER'S NOTICE OF
)	VOLUNTARY DISMISSAL OF
MICHAEL CHERTOFF, et al.,)	ACTION
)	[Fed. R. Civ. P. 41(a)(1)]
Respondents.)	
_____)	

Pursuant to Fed. R. Civ. P. 41(a)(1), petitioner Muhannad Toma, by and through counsel, Janet Tung and Federal Defenders of San Diego, Inc., gives notice that he hereby dismisses the above-captioned action without prejudice. Petitioner was released from the custody of respondents on January 31, 2008. His petition for a writ of habeas corpus is now moot.

Respectfully submitted,

DATED: February 1, 2008

/s/ Janet Tung
JANET TUNG
Federal Defenders of San Diego, Inc.
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CERTIFICATE OF SERVICE

Counsel for Petitioner certifies that the foregoing pleading is true and accurate to the best information and belief, and that a copy of the foregoing document has been caused to be delivered this day upon:

Courtesy Copy Chambers

Copy Assistant U.S. Attorney via ECF NEF

Copy Petitioner

Dated: February 1, 2008

/s/ JANET C. TUNG

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